

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

BRENNAN M. GILMORE,

Plaintiff,

V.

ALEXANDER E. (ALEX) JONES, *et al.*,

Defendants.

No. 3:18-cv-00017-NKM-JCH

SCHEDULING ORDER

WHEREAS, the Court entered a scheduling order on February 8, 2021 setting a deadline for the close of fact discovery on June 1, 2021. (D.I. 234);

WHEREAS, the Court has set trial dates in this matter for January 18-21 and 24-27, 2022;

WHEREAS, in view of the withdraw of Mr. Aaron Walker as counsel of record, Defendants Derrick Wilburn, Michele Hickford, James Hoft, R. Scott Creighton, and Words-N-Ideas, LLC sought and were granted additional time to respond to Plaintiff's discovery requests (D.I. 239);

WHEREAS, Defendants Alexander Jones, InfoWars, LLC, Free Speech Systems, LLC, and LeeAnn McAdoo (“the InfoWars Defendants”) sought and were granted additional time to respond to Plaintiff’s discovery requests (D.I. 255 at 1-2);

WHEREAS, Defendant Lee Stranahan sought and was granted additional time to respond to Plaintiff's discovery requests, and has to date not complied with the Court's Order to produce discovery by April 9, 2021 and April 14, 2021 (D.I. 255 at 3-4);

WHEREAS, having granted each Defendant additional time to complete discovery, the Court further granted Plaintiff leave to seek an extension of the deadline for completion of discovery, with

the instructions that any extension does not disturb the currently-schedule trial date (D.I. 255 at 5);

NOW, the parties come jointly before this Court to express their agreement that additional time will be necessary to complete fact discovery and hereby submit the following amended proposed schedule for deadlines that shall control the remainder of this action. Consistent with the Court's instruction, the amended proposed schedule does not disturb the trial date. Furthermore, the amended proposed schedule does not change the deadline by which dispositive motions and motions *in limine* must be fully briefed by the parties and ready for the Court's consideration.

Accordingly, the Parties respectfully ask that the Court enter this amended proposed Scheduling Order:

Event	Current Dates	Proposed Dates
Deadline to complete fact discovery	June 1, 2021	July 23, 2021
Potential settlement / ADR discussion	June 8, 2021	July 28, 2021
Fed. R. Civ. P. 26(a)(2)(B) opening expert reports	June 16, 2021	July 30, 2021
Fed. R. Civ. P. 26(a)(2)(B) responsive expert reports	July 16, 2021	August 20, 2021
Fed. R. Civ. P. 26(a)(2)(B) reply expert reports (limited to subject matter first raised in responsive reports)	August 13, 2021	September 3, 2021
Deadline to complete all discovery, including expert depositions.	August 25, 2021	September 13, 2021
Deadline to file dispositive motions	September 1, 2021	September 20, 2021
Deadline to file oppositions to dispositive motions	October 2, 2021	October 11, 2021
Deadline to file replies to dispositive motions	October 25, 2021	Unchanged

Event	Current Dates	Proposed Dates
Deadline for hearing dispositive motions	TBD by the Court	Unchanged
Exchange list of witnesses expected to be called at trial	December 9, 2021	Unchanged
Deadline for filing motions <i>in limine</i> (copies to opposing counsel)	December 16, 2021	Unchanged
Deadline for filing oppositions to motions <i>in limine</i> (copies to opposing counsel)	January 13, 2022	Unchanged
Deadline for filing proposed jury instructions and special interrogatories (copies to opposing counsel)	January 13, 2022	Unchanged
<p>Deadline for filing joint pretrial order including:</p> <ul style="list-style-type: none"> • any contested issues of law that require a ruling before trial; • the essential elements that a party must prove to establish any meritorious claims remaining for adjudication, and the damages or other relief sought; • the essential elements that a party must prove to establish any meritorious defenses; • the material facts and theories of liability or defense; • the issues of fact contested by each party; • any contested issues of law that do not require a ruling before trial; • any stipulations; and • any special voir dire questions <p>**Disputed sections to be filed as separate addendum**</p>	January 13, 2022	Unchanged
Pretrial conference	TBD by the Court	Unchanged
Trial	January 18-21 and 24-27, 2022	Unchanged

SO ORDERED THIS 17th DAY OF MAY, 2021



HON. JOEL C. HOPPE
UNITED STATES MAGISTRATE JUDGE

Dated: April 23, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of April, 2021, a copy of the Proposed Scheduling Order was served on all parties via the Court's Electronic Case Filing system, and separately sent via electronic mail to Mr. Lee Stranahan, Mr. Derrick Wilburn, and Mr. R. Scott Creighton.

/s/ Hassen A. Sayeed